

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

vs.

DRIVERS MANAGEMENT, LLC and  
WERNER ENTERPRISES, INC.,

Defendants.

**8:18-CV-00462**

**PLAINTIFF'S PROPOSED VERDICT FORM**

Plaintiff Equal Employment Opportunity Commission submits its Proposed Verdict Form here.

Respectfully submitted,

*/s/ Joshua M. Pierson*

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 21, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record.

*/s/ Joshua M. Pierson* \_\_\_\_\_

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**[Proposed] VERDICT FORM**

**Finding #1: Failure to Hire**

On the plaintiff's failure to hire claim against Drivers Management and Werner Enterprises, as instructed in Instruction #\_\_\_\_\_, we find in favor of:

The plaintiff, Equal Employment Opportunity Commission  
 The defendants, Drivers Management, LLC and Werner Enterprises, Inc.

(Mark an 'X' in the appropriate space.)

**Finding #2: Failure to Accommodate**

On the plaintiff's failure to accommodate claim against Drivers Management and Werner Enterprises, as instructed in Instruction #\_\_\_\_\_, we find in favor of:

The plaintiff, Equal Employment Opportunity Commission  
 The defendants, Drivers Management, LLC and Werner Enterprises, Inc.

*Answer Findings #3-5 only if you find in favor of the plaintiff on Finding #1 or Finding #2. If you found in favor of Drivers Management and Werner Enterprises on both Finding #1 and Finding #2, you have completed your deliberations and may sign and date the verdict form.*

**Finding #3: Actual Damages: Wages & Fringe Benefits**

What is the amount of any wages and fringe benefits Mr. Victor Robinson would have earned in his employment with defendants if he had been hired in 2015 through May 2020, *minus* the amount of earnings and benefits he received from other employment during that time, as instructed in Instruction #\_\_\_\_?

\$ \_\_\_\_\_

**Finding #4: Actual Damages: Compensatory**

What is the total amount of damages, if any, that will fairly and reasonably compensate Mr. Victor Robinson for his emotional pain, suffering, inconvenience, mental anguish, and loss of enjoyment of life, as instructed in Instruction #\_\_\_\_?

\$ \_\_\_\_\_

**Finding #5: Punitive Damages**

What is the amount of punitive damages, if any, for malice or reckless indifference to Mr. Victor Robinson's right not to be discriminated against on the basis of disability, as instructed in Instruction #\_\_\_\_?

\$ \_\_\_\_\_

**EXECUTION OF VERDICT FORM**

The foreperson shall sign and date the verdict form, and such signature shall mean that the verdict of the jury was unanimous.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Foreperson